

From: Ron Ohlander
To: 'microsoft.atr(a)usdoj.gov'
Date: 1/28/02 4:57pm
Subject: FW: Microsoft Settlement

To whom it may concern:

I am a computer scientist (Ph.D Carnegie-Mellon University) who has worked in the field for over 25 years. I have been a close observer of Microsoft's behavior since its inception. I believe that the proposed Microsoft settlement is a farce.

Microsoft has exhibited rapacious behavior since its start. The courts have found them to be a monopoly and guilty of monopolistic practices, which only attests to what most professionals in the field have known for a long time. Even as the case has been progressing through the courts, Microsoft has continued its aggressive tactics. The recent allegation that they lobbied congressional members in defiance of the Tunney act once again bears out my belief that they think they are above the law.

The government has a duty to pursue a course of action that will effectively remedy the situation. This has not been achieved. The proposed settlement terms are extremely weak. They will have virtually no effect in curbing Microsoft's behavior. On the contrary, they seem to be an endorsement of Microsoft's tactics. How can anyone who has any knowledge of the matter imagine that the playing field has been leveled, or that Microsoft will modify its monopolistic practices on the basis of said terms? In addition, where is the penalty for their past actions? The government is about to fail very badly in its duty to protect the American public.

If Microsoft continues to dominate through monopolistic practices, it will significantly affect the technology available to consumers, and what they pay for it. Microsoft has always rushed to market with shoddy software, expecting users to exercise and test it. Large numbers of bug fixes are generally required to any given product, but the products themselves never stabilize because Microsoft releases the next version with more bells and whistles and even more bugs. This process explains why their operating systems are so vulnerable to security attacks, i.e., as the systems have become larger and more complex, adequate security, which has never been very good in any of their products, becomes more tenuous. A lack of real competition exacerbates this kind of result. Businesses and individuals who use Microsoft products and suffer the consequences of viruses, worms, etc. pay an enormous cost. In a competitive market, consumers could make other choices unless the problems were fixed.

Finally, I don't understand how anyone can support Microsoft's argument that the consumer has benefited in the form of low-cost software. One doesn't buy such a product and have done with further expense. Rather, it is a case of

buying on the installment plan, as one pays again and again for each new release that is made, along with the need to pay separately for user manuals. If the average person were to calculate the outlay for software over a reasonable time period, it would be shown that the cost is far from the bargain Microsoft portrays.

In conclusion, the government must find a way to curb Microsoft's behavior. The currently proposed settlement signally fails to do that.

Sincerely,

Ronald B. Ohlander